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ADMINISTRATION OF THE
UNION TERRITORY OF LAKSHADWEEP
[LAKSHADWEEP FIRE FORCE]
[HOME DEPARTMENT]
KAVARATTI - 682555

F. No. 03/11/2020-FIRE (Part) Dated.08.08.2025

PUBLIC NOTICE

The **Draft Lakshadweep Fire and Emergency Service Regulation 2025** is hereby published for the purpose of eliciting public opinion on the draft regulation. The comments/ suggestions, if any, shall be submitted in writing to the Superintendent of Police/ Chief Fire Officer, Union Territory of Lakshadweep, within a period of 30 days from 08.08.2025.

Sd/-
Superintendent of Police /Chief Fire Officer
UT of Lakshadweep, Kavaratti.

THE DRAFT LAKSHADWEEP FIRE AND EMERGENCY SERVICE REGULATION - 2025

Be it enacted in the seventy sixth year of the Republic of India as follows:-

A Regulation to provide for the Maintenance of UT of Lakshadweep Fire and Emergency Service for the fire prevention and fire safety measures in various types of buildings and premises in the Union Territory of Lakshadweep and the matter connected therewith.

CHAPTER I
PRELIMINARY

1. Short title, extent and commencement

1. This Regulation may be called the Lakshadweep Fire and Emergency Service Regulation, 2025.
2. It shall extends to the whole of the Union Territory of Lakshadweep.

2. DEFINITIONS.

In this Regulation, unless the context otherwise requires;

(a) **"Administrator"** means the Administrator of Union Territory of Lakshadweep appointed by the President of India under Article 239 of the Constitution.

(b) **"Appellate Authority"** means an officer above the rank of the Fire Officer appointed by the Government.

(c) **"Building"** shall have the same meaning as assigned to it in any law for the time being in force in the area in which this Regulation is in force and includes places or premises comprising of land or building, or part of a land or building, whether authorised or otherwise, outhouses, if any, pertaining to such building or part thereof and petrol, diesel or gas lines installations or pumps;

(d) **"Building bye-Laws"** means the building bye-laws, rules and regulations made under any relevant panchayath law and includes the development control rules or regulations, by whatever name they are called, or any other

building rules or regulations made under any other law for the time being in force and are in the area in which this Regulation is in force as amended from time to time;

(e) **"Bureau of Indian Standard (BIS)"** means the Bureau established under section 3 of the Bureau of Indian Standards Act 2016;

(f) **"Bye law**" means the National Building Code of India, Model Building Bye-laws, 2016 issued by the Government of India and the safety regulations or norms or guidelines made there under, Oil Industry Safety Directorate guidelines, Petroleum Act and Rules, Explosive Act and Rules of India relating to fire prevention or any relevant guidelines made by the Union Territory or local authority as amended from time to time;

(g) **"Director"** means the Director of the Fire and Emergency Service appointed under section 6;

(h) **"Disasters"** means the disasters as defined in clause (d) of section 2 of the Disaster Management Act, 2005;

(i) **"Emergency"** means any serious situation or occurrence, including disasters, demands immediate action of Fire and Emergency Service;

(j) **"Employee"** means an employee of the Fire and Emergency Service;

(k) **"Erector"** means a person or association of persons, whether incorporate or not, who erects or makes a pandal or any structure for occupation of people on a regular or temporary basis;

(l) **Fire & Emergency Service"** means the Lakshadweep Fire and Emergency Service constituted under Section 5;

(m) **"Fire Officer"** means an officer appointed under Section 9;

(n) **"Fire Prevention and Life Safety Measures"** means such measures as are necessary in accordance with the National Building Code of India issued by the Indian Bureau of Standards for the containment, control, and extinguishing of fire and for ensuring the safety of life and property in case of fire and such other measures as may be **prescribed**;

(o) **"Fire Safety Officer"** means the person appointed under Section 29;

(p) **"Fire Station"** means a fire station established under section 8;

(q) **"Fund"** means the Fire prevention and Life Safety Fund constituted under Section 54;

(r) "**Government"** means Union Territory of Lakshadweep Administration;

(s) **"Local Authority"** means a District Panchayat or Gram Panchayat, constituted under any law for the time being in force;

(t) **"National Building Code"** means the Code made by the Bureau of Indian Standards;

(u) **"Nominated Authority"** means an officer not below the rank of a station officer nominated by the Director for the purposes of this regulation;

(v) **"Notification"** means a notification published in the Official Gazette;

(w) **"occupancy**" means the principal occupancy for which a building or a part of the building is used or intended to be used including subsidiary occupancies which are contingent upon it;

(x) **"Occupier" means-**

i. an owner in occupation of, or otherwise using his land or building;
ii. any person who, for the time being, is paying or is liable to pay, to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable;
iii. a licensee in occupation of any land or building; and
iv. any person who is liable to pay to the owner damages for the use and occupation of any land or building; and
v. a rent-free tenant of any land or building;

(y) **"Owner"** means a person who, for the time being, is entitled to receive the rent of any land or building;

i. whether on his own account or on account of himself and others; or
ii. as an agent, trustee, guardian or receiver; or
iii. any other person, who may receive the rent or be entitled to receive it, if the land or building or part thereof is let out to a tenant;

(z) **"pandal"** means a temporary structure with a roof or walls made of straw, hay, ulu grass, golpatta, hogla, darma, mat, canvas, cloth or such other like material which is not used for permanent or continuous occupancy;

(aa) **"prescribed"** means prescribed by rules made under this Regulation;

(bb) **"Qualified agency"** means a person or an association of persons having such qualification and experience as may be prescribed;

(cc) **"Second Appellate Authority"** means an officer appointed by the Government, who is higher in rank than the appellate authority;

(dd) **"Standing Fire Advisory Council (SFAC)"** means the advisory body constituted by the Union Ministry of Home Affairs to examine the technical problems relating to Fire Service and to make recommendation to the Government of India in the matter including the standardization of fire-fighting equipment through the Indian Standard Institutions;

(ee) **"Union territory"** means the Union territory of the Lakshadweep.

CHAPTER II

ORGANIZATION, SUPERINTENDENCE, CONTROL AND MAINTENANCE OF THE FIRE AND EMERGENCY SERVICE

3. Establishment of one Fire & Emergency Service:-

(1) There shall be established a Fire and Emergency Service for the Union territory:

(2) The Government may, by notification, declare any Fire Brigade of the Union territory, by whatever name called, as part of the Fire and Emergency Service.

(3) The private Fire and Emergency Service maintained for providing fire protection coverage to a specific building or industry by the owner thereof shall not form part of the Fire and Emergency Service.

(4) In order to assist any disaster, other than resulting due to fire, all fire services shall be considered as emergency services.

(5) In case the emergency service is not related to fire only, the directions of the authority in charge of the Fire and Emergency Service shall be final for taking action thereon.

4. Superintendence of Fire and Emergency Service to vest in Government:-

The superintendence of, and control over, the Fire and Emergency Service throughout the Union territory shall vest in the Government and the Fire and Emergency Service shall be administered **by the Government** through **such Fire Officers as the Government may, from time to time, appoint in this behalf.**

5. Constitution and Classification of Fire and Emergency Service:-

(1) The Fire and Emergency Service shall consist of such number of officers and employees in various ranks as may be prescribed.

(2) The number of posts of officers and employees of the Fire and Emergency Service and qualification and other conditions of service including the method of recruitment, grade, qualification, pay, allowances etc. shall be such as may be prescribed.

(3) The Government may, by notification, review the pattern of the existing Fire and Emergency Service in the Union territory and if deemed fit may modify the same.

(4) All officers and employees of the Fire and Emergency Service shall be liable for posting to any branch of the Fire and Emergency Service at any location within the Union territory.

6. Appointment of Director of the Fire and Emergency Service.

(1) The Government may, by notification, appoint a Fire Officer as Director with such qualification and experience as may be prescribed.

(2) The Government may, by notification, appoint such other officers and employees, as may be necessary, to assist the Director.

(3) **The jurisdiction of the Director so appointed shall extend to the entire Union Territory in matters relating to Fire and Emergency Service.**

(4) **Subject to the control, directions and superintendence of the Government, the Director shall exercise such powers and perform such duties as are conferred and imposed upon him by this Regulation or the rules made thereunder.**

7. Power, Duties and function of Director :

(1) The Director shall, subject to the superintendence and control of the Government, direct and regulate all matters of fire safety and prevention, firefighting equipment, machinery and appliances, training, events of mutual relations, distribution of duties, study of laws, orders and modes of proceedings and all matters of executive details or the fulfilment of duties and maintenance of discipline of fire officers and employees of the Fire and Emergency Service under him, as per the prescribed rules and other instructions as applicable to the officers and employees of the Union territory.

(2) The Director shall be the head of the office and shall:

(a) keep liaison with the Government for the development of Fire and Emergency Service;

(b) formulate the policies in relation to the development of Fire and Emergency Service in the Union territory and, on approval by the Government, take steps to implement the same;

(c) prepare and submit plans and proposals to the Government relating to the periodical review of fire equipment, fire property and fire manpower for effective implementation of the Fire and Emergency Service;

(d) take or cause to be taken such effective steps and measures in cases of major fires, house collapse and other emergency services as deemed necessary;

(e) investigate or cause to be investigated the cause of fire and advise the authorities concerned for implementing fire precautionary measures;

(f) depute such number of officers and employees as may be necessary to assist any Fire Officer of the Fire and Emergency Service;

(g) implement the effective human resource Development policies as per the job requirements specified at each level of fire service personnel;

(h) establish advance training centres for the purpose of clause (g);

(i) represent the Government on national and international forums with a view to update the standard of the Fire and Emergency Service in the Union territory; and

(j) exercise such other powers and perform such other duties and functions **as conferred, imposed or allotted to him by or under this Regulation or** as may be prescribed.

CHAPTER III
ESTABLISHMENT OF FIRE STATIONS

8. Establishment of Fire Stations

(1) The Government may, for the purposes of securing fire prevention and life safety measures, by notification, establish as many fire stations and other field formations as it deems fit.

(2) Every notification issued under sub-section (1) shall define the limits **and extent** of the fire stations and other field formations **as may be necessary for administrative and operational efficiency**.

9. Appointment of Fire Officers:

(1) For the purposes of this Regulation, the Government may, by notification appoint a Fire Officer, for each fire station, who shall be the officer-in- charge of the fire station and shall hold charge of the fire station as per the strength of the fire service as **specified** by the Standing Fire Advisory Council, **from time to time**.

(2) The Fire Officer shall be responsible for maintenance of communication system, water resources including hydrants within the areas of the fire station.

(3) The Fire Officer shall be the in-charge of the operations of Fire and Emergency Service and similar arrangements shall be provided by the government for other field formations

(4) The method of recruitment, qualifications and other conditions of service of the Fire Officer shall be such as may be prescribed

10. Powers and functions of Fire Officers

(1) Subject to the control, direction and superintendence of the Director, the Fire Officer shall exercise such powers and perform such functions as are conferred upon him under this Regulation and the rules made thereunder.

(2) Without prejudice to the provisions of sub-section(1), in case of fire prevention, disaster and emergency, the Fire Officer or other employee who is the senior most in rank for their respective jurisdiction, shall, act as commanding officer for that purpose and other fire and emergency service employee engaged shall work under him and abide by his direction.

11. Issue of certificate to the Employees:

(1) Every employee shall receive a certificate in such form as may be prescribed under the signature of the Director or an officer authorised in this behalf by the Government.

(2) The certificate referred to in sub-section (1) shall cease to have effect when the employee named therein ceases for any reason to be an employee and on his ceasing to be such employee, he shall forthwith surrender the certificate to any officer empowered to receive the same.

(3) **The certificate of appointment shall become null and void when the person named therein ceases to belong to the Fire and Emergency Service or shall remain inoperative during the period such person is suspended from the Fire and Emergency Service.**

(4) The employees shall be governed by such terms and conditions of their service as are applicable to the Government servants of the Union territory.

12. Auxiliary Fire and Emergency Service:

(1) Where, it appears to the Government that it is necessary to augment the Fire and Emergency Service, it may raise an auxiliary service by enrolment of volunteers for such area and on such terms and conditions, as may be prescribed.

(2) Every such volunteer shall receive a certificate in such form as may be prescribed, and shall have the same powers and protection and shall be liable to all such duties and penalties and be subordinate to the same authorities as member of the Fire and Emergency Service.

13. Effect of suspension of Fire Officer

The powers, functions and privileges vested in a Fire Officer shall remain suspended while such Fire Officer is placed under suspension:

Provided that the Fire Officer shall continue to be under the control of same authorities during the period of his suspension.

CHAPTER IV
FIRE AND EMERGENCY RESPONSE

14. Response to Calls

The Fire Officer shall respond to all fire and emergency related calls or any other emergency call, in such manner as may be prescribed.

15. Personnel and scale of equipment.

The Director or Fire Officer shall ensure deployment of Fire and Emergency Service, resources, equipment and fire personnel at stand-by duties during any fire response or any other emergency in such manner as may be prescribed.

16. Operation Management

The Director or Fire Officer shall provide details of planning, organizing and deployment of the employee and ensure the regular monitoring of the site, in such manner as may be prescribed.

17. Powers of Employees of the Fire and Emergency Service on occasion of fire or rescue:

In the event of a fire rescue in any area in which this Regulation is in force, any member of the Fire and Emergency Service, who is in-charge of firefighting operations on the spot, may–

(a) remove or order any member of the Fire and Emergency Service to remove any person who by his presence interferes with or impedes the operation for extinguishing the fire or for saving life or property;–

(b) close any street or passage in or near which a fire is being extinguished or rescue work is in progress;

(c) for the purpose of extinguishing fire and carrying out rescue operation, break into or through or pull down any premises for the passage of hose or appliances or cause them to be broken into or through or pulled down causing minimum damage as possible for the purpose of extinguishing fire:

Provided that the owner or occupier, as the case may be, of any such premises shall be paid reasonable compensation to the extent of the damage so caused in such manner as may be prescribed;

(d) require authority in-charge of water supply in the area to regulate the water mains so as to provide water at a specified pressure at the place where fire has broken out and utilise the water of any stream, cistern, well or tank or of any available source of water, public or private, for the purpose of extinguishing or limiting the

spread of such fire and carrying out rescue operations in such manner as may be prescribed;

(e) exercise the same powers for dispersing an assembly of persons likely to obstruct the firefighting operations, as if he were an officer in-charge of a police station and as if such an assembly were unlawful assembly and shall be entitled to the same immunities and protection as such officer, in respect of exercise of such powers;

(f) **arrest a** person who wilfully obstructs and hinders Fire and Emergency Service personnel in firefighting and rescue operations and shall hand him over to a police officer or at the nearest police station without avoidable delay along with a brief note giving date, time and reason of such **arrest**;

(g) enter into agreement with any person who employs and maintains personnel or equipment or both for fire fighting purpose, to secure on such terms as may be prescribed for the purpose of dealing with fires occurring in any area;

(h) take such measures as may appear to him to be necessary for extinguishing the fire or for the protection of life and property, or with both

18. Power to arrange for Water Supply during Emergency:

The Director or Fire Officer of the fire-fighting operations may draw water from any source in the area which he considers necessary during fire-fighting operations and on other occasions as may be required and the authority or owner or occupier having control over such water source shall supply water for that purpose at such rates, as may be prescribed.

19. Duty to arrange water Supply:

The Director or Fire Officer shall take all reasonable measures for securing adequate supply of water for the use in the event of fire broke out in such manner, as may be prescribed.

20. Power to enter into Agreement for Water Supply:

The Director or Fire Officer may enter into an agreement with a qualified agency for meeting demand of water supply in emergency situation with such terms and conditions, as may be prescribed.

21. Liability for Compensation for Interruption of Water Supply:

No authority in charge of water supply in any area shall be liable to any claim for compensation for damage by reason of any interruption of supply of water.

22. Charges for Water:

No charge shall be made by any local authority for water consumed in firefighting operations by the Fire and Emergency Service.

CHAPTER-V

PREVENTIVE MEASURES

23. Preventive measures:-

(1) The Government may, by notification, require owner or occupier of buildings or premises in any area or of any class of building or premises used, which in his opinion, is likely to be at risk of fire or likely to be cause risk of fire, to take such precautions as may be specified in such notification.

(2) The Director or Fire Officer shall ensure that the fire and emergency management plans of the fire stations and other field formations are prepared in conformity with the respective District Disaster Management Plans.

24. Erector to take Fire prevention and life safety measures in pandals:-

(1) Notwithstanding anything contained in this Regulation, the erector shall take all fire prevention and life safety measures specified under section 23.

(2) The erector shall display at a prominent place in the pandal, a declaration in such **manner** as may be prescribed**,** under his signature to the effect that he has taken all fire prevention and life safety measures.

(3) The Director or Fire Officer may enter and inspect the pandal to verify the correctness of the declaration so made under sub-section (2) and in case of any default, he may direct the erector to comply with the same within the specified time and in case of non-compliance shall seal the pandal.

25. False declaration by erector.

If any erector falsely declares that he has complied with the prescribed fire prevention and fire safety measures in the pandal under sub-section (2) of section 24, he shall be deemed to have committed an offence punishable under **section 41**.

26. Removal of encroachments or objects or goods likely to cause a risk of fire or any obstruction to firefighting:

(1) Where a notification has been issued under section **23**, it shall be lawful for the Director or Fire Officer to direct the owner or occupier for removal of encroachments **or objects** or goods, if any, likely to cause a risk of fire or any obstruction to firefighting, to a place of safety.

(2) If the owner, occupier or erector, as the case may be, fails to comply with the provisions referred under sub-section (1) of section 23 or section 24,the Director or Fire Officer may, after giving the owner or occupier or erector, as the case may be, a reasonable opportunity of being heard, report the matter to the Sub-Divisional Magistrate, in whose territorial jurisdiction the premises or building or pandal is situated, for adjudication.

(3) Where the Director **or Fire Officer** considers such objects or goods or encroachments **to** be an imminent cause of risk of fire or obstruction to firefighting, he may direct the owner or the occupier or the erector of such premises or building or pandal to remove the objects or goods or encroachment immediately and intimate the matter to the Sub- Divisional Magistrate accordingly.

(4) On receipt of a report under sub-section (2), the Sub-Divisional Magistrate shall issue a notice to the owner or occupier or erector, as the case may be, in such manner as he may think fit, for showing cause against the removal of encroachment or objects or goods likely to cause a risk of fire or obstruction to firefighting.

(5) After giving the owner or occupier or erector, as the case may be, a reasonable opportunity of making representation, the **Sub-Divisional Magistrate may pass an order to seize, detain or remove such objects or goods or encroachments in such manner, as may be prescribed.**

(6) The authority referred to in sub-section (5) shall, make an inventory of the objects and goods which he seizes under such order and issue notice in such form as may be prescribed, to the person in possession thereof at the time of seizure, that the said objects or goods shall be sold if the same are not claimed within the period stipulated in the said notice.

(7) If the person from whom the goods were seized under sub-section (5) fails to claim the seized goods pursuant to notice given under sub-section (6), the Sub-Divisional Magistrate shall sell them by public auction.

27. Liability of owner or occupier of a building to provide fire prevention and life safety measures:

(1) Without prejudice to the provisions of National Building Codes of India, Model Building Bye-laws, 2016 by Ministry of Urban Development, Government of India, any other law or Bye-Law, the owner or the occupier, who are either individually

or jointly responsible, of a building as classified by regulations or part thereof, shall provide fire prevention and life safety measures therein:

PROVIDED that the owner or the occupier, as the case may be, shall,-

(i) provide minimum fire-fighting and life safety installations as provided in the Bye-Law;

(ii) maintain the fire prevention and life safety measures in operational condition at all times, in the manner and specifications specified in Bye-Law.

(2) Notwithstanding anything contained in any other law for the time being in force, no authority shall issue the electric or water connections, or occupancy certificate, unless the owner or occupier, has obtained a fire safety certificate.

(3) Without prejudice to the existing building bye laws and the National Building Code, the buildings as specified in the notification issued under sub-section (1) of section 23 shall obtain fire safety certificate from the Fire and Emergency Service;

(4) The owner of buildings referred to in sub-section (3), shall ensure that the multi-storied buildings are equipped with such fire prevention and life safety measures to prevent or extinguish fire, as may be prescribed.

(5) The owner or occupier, as the case may be, shall furnish to the Fire Officer, a certificate issued by a qualified agency and in such form, as may be prescribed, regarding the compliance of the fire prevention and life safety measures in his building or part thereof, as required by or under the provisions of this Regulation.

(6) The owner or occupier, as the case may be, shall also furnish to the Fire Officer a certificate in such form, as may be the prescribed, twice in a year in the months of January and July regarding the maintenance of fire prevention and life safety measures in good operational condition as specified under sub-section (1).

(7) No person other than the qualified agencies shall carry out the work of providing fire prevention and life safety measures or performing such other related activities required to be carried out in any place or building or part thereof.

28. Issue of Fire Safety Certificate

(1) The Fire Officer shall scrutinize the compliances, as may be prescribed, and after following due procedure, if any, issue provisional or final fire safety certificate, as the case may be.

(2) The provisional fire safety certificate issued by the fire and emergency service shall remain valid for such period as may be prescribed.

(3) The owner or occupier, as the case may be, shall require to fulfill the compliances, as may be prescribed by the fire and emergency service, failing which, the provisional fire safety certificate shall be deemed to be cancelled on the expiry of validity period.

(4) The owner or occupier shall apply for obtaining final fire safety certificate before two months prior to the expiration of provisional fire safety certificate.

(5) The Fire Officer shall scrutinize the compliances, as may be prescribed and after following due procedure, issue final fire certificate within a period of one month of the expiration of provisional fire safety certificate.

(6) The Final Fire Safety Certificate issued under sub-section (4) shall remain valid for a period, as may be prescribed, from the date of its issuance unless cancelled earlier by the Director or Fire Officer on any of the grounds provided in the Regulation;

(7) The owner or occupier, as the case may be, shall furnish to the Fire Officer, a certificate in the prescribed form issued by a qualified agency, regarding the compliance of the fire prevention and life safety measures in his building or part thereof, as required by or under the provisions of this Regulation, twice a year in the months of January and July regarding the maintenance of fire prevention and life safety measures in good repair and efficient condition as specified in sub-section (1) of this Section.

(8) Based on the certificate, as referred in sub-section (7), the fire officer shall renew the fire certificate for such period as may be prescribed within a period of one month from the date of expiration of final fire certificate.

(9) The Director may prescribe sample or random inspections to be carried out by the fire officers before issuing renewal certificate.

(10) In the absence of any qualified agency available for issuance of certificate as specified in sub-section (7) above or any other exceptional circumstances, the Director, fire and emergency service, shall provide suitable alternative to do the compliance required for renewal of fire certificate.

(11) If the owner or occupier, as the case may be, fails to comply with the directions issued by the fire officer, the final fire safety certificate, issued under sub-section (5), shall be cancelled after giving the owner or occupier an opportunity of being heard.

(12) The owner or occupier of the building, whose fire safety certificate has been cancelled under sub-section (11) shall not be entitled to occupy the building.

CHAPTER VI
FIRE SAFETY OFFICER

29. Appointment & Functions of Fire Safety Officer

(1) To ensure effective fire prevention and life safety measures of the factory or buildings or premises as may be specified by an order by the Government in this behalf, every owner and occupier or occupiers individually or jointly, as the case may be-

(i) shall appoint a Fire Safety Officer, having such qualification and experience, as may be **prescribed**; and;

(ii) send the compliance report to the Fire Officer.

(2) The Fire Officer, shall issue an enrollment certificate to the Fire Safety Officer, under his signature and seal, in such form as may be **prescribed**.

(3) In case of a vacancy of the office of Fire Safety Officer either on resignation or otherwise, the owner and occupier or **occupiers individually or jointly**, as the case may be, shall appoint **another** Fire Safety Officer **within such period as may be prescribed**.

(4) If the Fire Safety Officer referred to in sub-section (3) is not appointed within the prescribed period, the Fire Officer may take such steps as he deems necessary, including report to the Labour Commissioner for the closure of the factory and in other cases to the relevant authority, as the case may be, for necessary action under relevant law.

(5) **The Fire Safety Officer shall undergo such training at the Fire and Emergency Service Training Institute as may be specified by the Government in this behalf**:

Provided that a person who has already undergone such training at the National Fire Service College, Nagpur or at any other **equivalent** institution recognized by the Government for the purpose, shall not be required to undergo such a training.

30. Power of Inspection

(1) The Director or Fire Officer may, after giving three hours' notice to the occupier, or if there is no occupier, to the owner of any place or building or part thereof, enter and inspect such place or building or part thereof at any time between

sunrise and sunset where such inspection appears necessary for ascertaining the adequacy or contravention of fire prevention and life safety measures:

Provided that the Director or Fire Officer may enter into and inspect any place or building at any time if **an industry is operating or an entertainment programme is going on at such place** or building, or if it appears to him to be necessary and expedient to do so in order to ensure safety to life and property.

(2) The Director or Fire Officer shall be provided with all possible assistance by the owner or occupier, as the case may be, of such place or building or part thereof for carrying out the inspection under sub-section (1).

(3) The owner or occupier or any other person shall not obstruct or cause any obstruction to the entry of a person empowered or authorized under this section into or upon such place or building.

Provided that when any such **place** or building is being used as a human dwelling, due regard shall be paid to the social and religious sentiments of the occupier:

Provided further that if such place or building or part thereof is in the **actual** occupancy of a woman, who, according to the custom does not appear in public, prior notice intimating her that she is at liberty to withdraw from such place or building, and every reasonable facility shall be given to her for withdrawing.

(4) Where the inspection is carried out by the Fire Officer referred to in Sub Section (1), he shall give a report of such inspection to the Director.

(5) The Director or Fire Officer shall, after completion of the inspection of the place or building or part thereof under this Section, record his views on the deviations from or the contraventions of, the requirements with regard to the fire prevention and life safety measures or the inadequacy or non-compliance of such measures provided or to be provided therein with reference to the height of the building or the nature of activities carried on in such place or building or part thereof and issue a notice to the owner or occupier of such building or part thereof directing him to undertake such measures within such time as may be specified in the notice.

31. Information on outbreak of fire

Any person who possesses any information regarding an outbreak of fire shall communicate the same without delay to the nearest fire station.

CHAPTER VII
OFFENSES AND PENALTIES

32. Penalties for contravention of provisions

Whoever contravenes any provisions of **sections 18 to 22 shall**, without prejudice to any other action taken against him under this Regulation and rules made there under, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to fifty thousand rupees, or with both and where the offence is a continuing one, with a further fine which may extend to three thousand rupees for every day after the first day during which such offence continues.

33. Penalty for violation of Duty

Notwithstanding any action which may be taken under the provisions of this Regulation, any member of the Fire and Emergency Service who-

(1) is found to be guilty of any violation of duty or willful breach of any provision of this Regulation or any rule or order made there under; or

(2) is found to be guilty of cowardice; or

(3) withdraws or abstains from the duties of his office without permission or without having given previous notice for fifteen days or more; or

(4) being absent on leave fails without reasonable cause to report himself for duty on expiration of such leave; or

(5) accepts any other employment or office or engages himself in business in contravention of the provision of the Central Civil Services (Conduct) Rules, 1964, **shall be punishable with imprisonment which may extend to three months or with fine which may extend to an amount which shall not exceed three months' pay of such member, or with both**.

34. Penalty in case of non-appointment of Fire Safety Officers:

(1) If any owner or occupier or an association of such owner and occupier of a building fails to appoint fire safety officers referred to in section 29, within the prescribed period**, of the receipt of a notice** given in this behalf by the Director or the Fire Officer, as the case may be, each one of them shall be deemed to be in default jointly and severally.

(2) If the person **referred to in sub-section (1)** is deemed to be in default, he **shall be liable to a penalty which shall not be** less than ten rupees and more than fifty rupees per square meter of area owned or occupied by him including the common areas in the premises as determined by the Director, for each month of default or part thereof.

(3) The amount referred to in sub-section (2) shall be recovered as an arrear of land revenue.

35. Liability of property owner to pay compensation

(1) Any person whose property catches fire on account of **an action of his own or of his agent done deliberately or negligently** he shall be liable to pay compensation for any damage caused to any person or to his property**.**

(2) All **claims u**nder sub-section (1) shall be referred to the appellate authority, within a period of thirty days from the date when the damage was caused.

(3) The appellate authority, shall, after giving the party an opportunity of being heard, determine the amount of compensation ~~due~~ and pass an order stating the person liable for such default and the amount of compensation to be paid by him and the order so passed **shall have the force of a decree of a civil court**.

36. Failure to give Information.

Any person, legally bound to communicate information in his possession regarding an outbreak of fire, fails to communicate the said information, **without adequate justification,** shall be deemed to have committed an offence punishable under clause (a) of **section 211 of the Bharatiya Nyaya Sanhita, 2023**.

37. Failure to take precautions

Whoever fails without reasonable cause to comply with any of the requirements specified in the notification issued under sub-section (1) of section 23**,** shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to ten thousand rupees, or with both and where the offence is a continuing one with a further fine which may extend to one thousand rupees for every day after the first day during which such offence continues.

38. Penalty for willfully obstructing the firefighting, rescue operation:-

Any person who willfully obstructs or interferes with any member of the Fire and Emergency Service, who is engaged in firefighting and rescue operations, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to Ten Thousand Rupees, or with both.

39. False report:-

Any person who knowingly gives or **causes to give** a false report of the outbreak of a fire to any person authorized to receive such report, by means of a statement, message or otherwise, he shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to ten thousand rupees, or with both.

40. Furnishing false certificate:-

If any qualified agency referred to in sub-section (2) of section 24 furnishes false certificate or declaration that maintenance of fire prevention and life safety measures as specified in sub section (1) of section 26 or as required under sub section (2) of section 24 have been complied, every person who, at the time of the offence was committed, was in charge of, and was responsible to the agency for the conduct of the business of the agency as well as the agency, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

41. Punishment for contravention of provisions of this Regulation where no punishment has been provided:-

Whoever contravenes any provision of this Regulation, for which no punishment or penalty has been provided or of any rule made or notification issued thereunder shall, **without prejudice to any other action taken against him under this Regulation and the rules made thereunder,** be punishable with imprisonment for a term which may extend to three months, or with fine which may

extend to ten thousand rupees or with both and where the offence is a continuing one with a further fine which may extend to one thousand rupees for every day after the first day during which such offence continues..

42. Offences by Companies

(1) Where an offence under this Regulation has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to the company for the conduct of its business as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

PROVIDED that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where any offence under this Regulation has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part, of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation: For the purposes of this Section,-

I. 'Company' means a body corporate and includes a firm or other association of individuals; and

II. 'Director', in relation to a firm, means a partner in the firm.

43. Compounding of offences

(1) Any offence whether committed before or after the commencement of this Regulation, punishable under sections **35 and 36** or any rule made thereunder, **may** be compounded by such officers of the Fire and Emergency Service and for such amount as the Government may, **by notification**, specify in this behalf:

Provided that no offence shall be compoundable which is committed by failure to comply with a notice, order or requisition issued by or on behalf of the Government or of any of the officers authorised under this Regulation and until the same has been compiled with **so far as the compliance is possible.**

(2) Where an offence has been compounded under sub-section (1), the offender if in custody, shall be discharged and no further action shall be taken against him in respect of such offence.

44. Protection of action taken in good faith

No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of the provisions of this Regulation or any rules made thereunder.

45. Cognizance of prosecution

No court shall take the cognizance of an offence under this Regulation, except on **the** complaint of, or upon information received from, the Director or Fire Officer authorised by him in this behalf.

46. Jurisdiction

No court inferior to that of a Judicial Magistrate of the First Class shall try an offence punishable under this Regulation.

CHAPTER VIII
APPEALS

47. Appeal.

(1) Any person aggrieved by any order of the **Sub-Divisional Magistrate** or the Fire Officer or the Director issued or made under this Regulation may prefer an appeal to the appellate authority within a period of thirty days from the date of the order appealed against:

Provided that the a**ppellate authority** may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that there was sufficient ground for not filing such appeal within the said period.

(2) An appeal under sub-section (1) shall be made in such form and with payment of such fee as may be prescribed and shall be accompanied by a copy of the notice or order appealed against.

(3) Any person aggrieved by an order of the appellate authority may prefer an appeal before the second appellate authority, **within 30 days from the date of order,** in such manner as may be prescribed and the decision of the second appellate authority thereon shall be final.

CHAPTER IX
TRAINING

48. Establishment of Fire and Emergency Training Institute:-

(1) The Government may establish and maintain one or more training institute in the Union territory for providing courses of instruction in the prevention and extinguishment of fire.

(2) The Government may extend the training facilities at the academy to be established under sub-section (1) to the Fire and Emergency Service under the control of local bodies and industrial undertakings, other Union Territories and States Government on payment of such charges, as may be prescribed.

(3) The Government may provide a course of instruction in the prevention and extinguishment of fire in accordance with such procedure and on payment of such fee as may be prescribed.

(4) Subject to the observance of general rules applicable to other employees of the Government in relation to training, the employees of the Fire and Emergency Service may be given such other training as may be prescribed.

49. Community Preparedness

The Director or Fire Officer shall conduct community awareness and training programme on preventive measures on fire and other emergencies and the fire and emergency service shall render assistance and consultation to the communities in such matters relating to fire prevention as may be **prescribed**.

CHAPTER X
LEVY OF FIRE TAX, FEE AND OTHER CHARGES

50. Levy of fire tax or Charges

(1) The Government may levy a fire tax or charges on lands and buildings on which property tax by whatever name called is levied by any local authority in that area.

(2) The fire tax or charges shall be levied in the form of a surcharge on the property tax at such rate in terms of percentage of such property tax as the Government may, by notification in the Official Gazette, determine from time to time.

(3) No charges shall be levied on any building vested in or under the control or possession of the Government or public authority owned by the Government.

51. Mode of assessment, collection, etc. of fire tax

(1) The authoriti**es** empowered to assess, collect and enforce payment of property

tax under the law authorizing the local authority of the area to levy such tax shall, on behalf of the Government and subject to any rules made under this Regulation, assess, collect and enforce payment of the fire **charges** in the same manner as the property tax is assessed, paid **or** collected; and for this purpose, **they** may exercise all or any of the powers **they** have under the law aforesaid and the provisions of such law including provisions relating to returns, appeals, reviews, references and penalties shall apply accordingly.

(2) Such portion of the total proceeds of the fire charge as the Government may determine shall be deducted to meet the cost of collection of the fire charges.

(3) The proceeds of the fire charges collected under this Regulation reduced by the cost of collection **shall be paid to the Government** in such manner and at such intervals as may be **prescribed**.

52. Fee on deployment of Fire and Emergency Service beyond the limits of the Lakshadweep

(1) Where employees of the Fire and Emergency Service are sent beyond the limits of any area in which this Regulation is in force, in order to extinguish a fire in the neighborhood of such limits, then the State Government or local body or Fire and Emergency Service authority on whose request they were sent, shall be liable to pay such charges **as may be prescribed.**

(2) The fee referred to in sub-section (1) shall be payable within a period of one month of the service of notice of demand by the Director or Fire Officer.

(3) Where employees of the Fire and Emergency Service are deployed for the purpose other than firefighting within the Union territory at the discretion of the Director or Fire Officer for rendering special services such as attending duties of fire protection at large assemblies or gathering **as standby appliances along with staff subject to safe use of equipment, if it can be spared and imparting fire safety training on the written request of any person shall be liable to pay such fee as may be prescribed**.

(4) The fee referred to in sub-section (3) shall be payable in advance by the applicant.

53. Recovery of Dues

Any amount payable under this Regulation shall be recovered as arrears of land revenue.

CHAPTER XI

FIRE PREVENTION AND LIFE SAFETY FUND

54. Constitution of Fund:

(1) There shall be constituted a fund to be known as the "Fire Prevention and Life safety Fund".

(2) **The proceeds of fire charges, taxes and penalties other than fines recovered under this Regulation, shall be credited to the Consolidated Fund of India and after deduction of the expenses of collection and recovery there from, under appropriation duly made by law in this behalf, be entered in, and transferred to, the fund constituted under sub-section (1).**

(3) **Any amount transferred to the fund under sub-section (2) shall be charged on the Consolidated Fund of India.**

(4) **The fund shall be reflected into the budget estimate of the respective authority and the accounts in respect thereof shall be maintained and audited in accordance with the procedure prescribed for this purpose of maintenance of accounts on the relevant law or the rules made or orders issued made thereunder as are applicable to the respective authority.**.

(5) The fund shall be utilized for fire community preparedness, training and procurement of fire-fighting equipment, in such manner and under such conditions, as may be prescribed.

CHAPTER XII
RECIPROCAL ARRANGEMENT

55. Reciprocal fire-fighting arrangements with other Fire and Emergency Service:-

The Director may, with the previous sanction of the Government, enter into an agreement with any Fire and Emergency Service or the authority which maintains the said Fire and Emergency Service, beyond the limits of any area in which this Regulation is in force for providing personnel or equipment or both, for firefighting purposes on reciprocal basis, on such terms and condition as may be specified under the said agreement.

56. Declaration of Fire and Emergency Service as technical Service:-

Without prejudice to the provisions of any other law for the time being in

force, the Government may, by notification, declare the Fire and Emergency Service as technical service.

57. Deployment in other area.

The Director or any Fire Officer authorised by the Government in this behalf may, on the occasion of a fire or other emergency in any neighboring area in which this Regulation is not in force, deploy order the dispatch of the employees of the Fire and Emergency Service with necessary appliances and equipment to carry out fire-fighting operations in such neighboring area and thereupon all the provisions of this Regulation and the rules made there under shall apply to such areas, during the period of fire emergency or during such period as the Director may, specify on such charges as may be prescribed.

58. Employment on other duties.

It shall be lawful for the Government or any officer authorised by it in this behalf, to deploy the Fire and Emergency Service in any rescue, salvage or other operation **for which it is suitable by reason of its training, appliances and equipment.**

59. Power to obtain information.

The Director or an **employee** of the Fire and Emergency Service, authorised by general or special order in this behalf may, for the purpose of discharging his duties under this Regulation, require the owner or occupier of any building or other property **as may be specified** to supply information with respect to the character of such building or other property **as may be specified, the available water supplies and means of access thereto and any other material particulars, and such owner or occupier shall furnish all the information in his possession to such Director and employee**.

60. Power to disconnect electricity and water supply or seal buildings.

1) Where, **it appears to the Director either *suomotu*** or on receipt of a report from the Fire Officer referred to in sub-section **(4) of section 30**, that the condition of any building is dangerous to life or property, he shall, without prejudice to any action taken under this Regulation, by order, require the person in possession or occupation of such building to remove themselves from such building or premises immediately.
2) If an order made by the Director under sub-section (1) is not complied with, the Director may direct, -
   (a) the authority concerned **to disconnect** the supply of electricity or water, as the case may be in the building referred to in sub-section (1);

(b) **any police officer** having jurisdiction in such area to remove such persons from the building who shall comply with such directions.

3) After the removal of the persons referred to in sub-section (1) or sub-section (2), as the case may be, the Director shall declare the building unfit from fire safety point of view and shall report immediately to the concerned Sub-divisional Magistrate, who shall in turn proceed to seal the building or premises immediately, with the aid of police assistance, if required.

4) No person shall remove such seal except under an order made by the Director.

61. Penalty for contravention

Any person, who removes the seal, referred under sub-section (3) of section 60 of this Regulation except under an order made by the Director, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to twenty-five thousand rupees, or with both.

62. Police Officers and others to assist.

In fire-fighting operations or any other duties related to seizure, detention or removal of any goods involving risk of fire, disconnection of electricity, water supply or sealing of building, it shall be the duty of a police officer or employees of the police force to assist and aid the Director or such Fire Officer in performance of such duties under this Regulation.

63. Existing Fire and Emergency Service to be deemed to be Fire and Emergency Service constituted under this Regulation

(1) Without prejudice to the provisions contained in any other law for the time being in force on and from the commencement of this Regulation, the existing Fire and Emergency Service in the Union territory before the promulgation of this Regulation (hereafter in this Section referred to as 'the existing Union territory Fire and Emergency Service') shall be deemed to be the Fire and Emergency Service constituted under this Regulation and every member of the existing Union territory Fire and Emergency Service holding the office, shall be deemed to be appointed and to hold the office, under this Regulation;

(2) All proceedings pending before any fire officer of the existing Union territory Fire and Emergency Service, immediately before the commencement of this Regulation be deemed to be proceedings pending before him in his capacity as the holder of the office to which he is deemed to be appointed under sub-section (1) and shall be dealt with accordingly.

64. Final expenses in case of death of member of Fire and Emergency Service:-

In the event of death of a member of the Fire and Emergency Service other than a Gazetted Officer, while on duty, the Government shall pay immediately such amount as may be prescribed to the next of kin of the said member as funeral expenses or such amount as the Government may by an order determine.

CHAPTER XIII
MISCELLENEOUS

65. Officers and employees to be public servants

Every employee of Fire and Emergency Service, acting under this Regulation, shall be deemed to be a public servant within the meaning of Sub Section (28) of Section 2 of the Bharatiya Nyaya Sanhita (BNS),2023.

66. Calling of returns, reports, statements, etc.

The Government may call for any record relating to fire prevention and fire safety, the maintenance of order and the performance of duties by the Director, Fire Officer, operational employees, employees and subordinate operational staff, and the same shall be furnished immediately.

67. Power to make rules.

(1) The Government may, by notification in the Gazette, make rules for carrying out the purposes of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for:

(i) the minimum standards for fire prevention and fire safety measures, form of declaration, appeal, notice and fees under clause (o) of section 2;

(ii) qualification and experience of the qualified agency under clause (zc) of section 2;

(iii) number of officers and employees in various ranks of the Fire and Emergency Service under sub-section (1) of section 5;

(iv) recruitment to, and the pay& allowances and all other conditions of service of the employees of the Union Territory Fire and Emergency Service under sub section (2) of section 5;

(v) qualification and experience of the Director under sub-section (1) of section 6;

(vi) other powers, duties and functions of the director under clause (j) of sub-section 2 of section 7;

(vii) method of recruitment, qualifications and other conditions of service of the Fire Officer under sub-section (4) of section 9;

(viii) mode of assessment, collection and enforcement of payment of fire tax or charges under section 51;

(ix) manner in which fire tax or charges collected shall be paid to Government under sub-section (3) of section 51;

(x) fee on deployment of Fire and Emergency Service within or beyond the limits of Union territory terms for reciprocal fire-fighting arrangements with other Fire and Emergency Service under section 52;

(xi) charges for extending training facilities at Fire and Emergency Service Academy to others under sub-section (2) of section 48;

(xii) officers of the Fire and Emergency Service who will be authorized for compounding offence and the amount for compounding of offences under section 43;

(xiii) making available to the Fire and Emergency Service with such appliances and equipment as it deems proper under section 57;

(xiv) the adequate supply of water to secure that it shall be available for use under section 19;

(xv) constructing or providing fire stations or hiring places for accommodating the employees of the Fire and Emergency Service and its firefighting appliances;

(xvi) giving rewards to persons who have given notice of fires and to those who have rendered effective service to the Fire and Emergency Service on the occasion of fires;

(xvii) the training, discipline and good conduct of the employees of the Fire and Emergency Service;

(xviii) speedy attendance of employees of the Fire and Emergency Service with necessary appliances and equipment on the occasion of any alarm of fire;

(xix) regulating and controlling the powers, duties and functions of the director under section 7;

(xx) generally, for the maintenance of the Fire and Emergency Service in a due Union territory of efficiency;

(xxi) regulating installation of pandals and temporary structure under section 23;

(xxii) writing of confidential reports of fire officers;

(xxiii) determining the description and quantity of firefighting and rescue equipment including appliances, clothing and other necessaries to be furnished to the Fire and Emergency Service;

(xxiv) institution, management and regulation of any Fire and Emergency Service fund for any purpose connected with policy administration;

(xxv) assigning duties to fire officers of all ranks and grades, and prescribing the manner in which and the conditions subject to which, they shall exercise and perform their respective powers and duties;

(xxvi) generally, for the purposes of rendering the Fire and Emergency Service efficiently and preventing abuse or neglect of their duties; and

(xxvii) any other matter which is required to be, or may be, provided by the rules.

68. Delegation of powers

(1) The Government may by notification direct that any power exercisable by it under this Regulation shall, subject to such conditions, if any, as may be specified in the notification be exercisable by any of the officers of the Government.

(2) The Director may, by order, direct that any power conferred or any duty imposed on him by or under this Regulation shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercised and, performed also by any officer of the Fire and Emergency Service specified in the said order.

69. Repeal and Savings

If immediately before the day on which this Regulation comes into force in the Union Territory, there is in force in the Union Territory any law or rule having the force of law which corresponds to this Regulation, such corresponding law in so for as it relates to any matter for which provision has been made in this Regulation shall on that day stand repealed:

PROVIDED that such repeal shall not be deemed to limit, modify or derogate from the general responsibility of any local authority-

(i) to provide and maintain such water supply and fire hydrants for fire-fighting purposes as may be directed by the Government from time to time;

(ii) to frame bye-laws for the regulation of dangerous trades;

(iii) to order any of its employees to render aid in fighting a fire when reasonably called upon to do so by any member of the fire service; and

(iv) generally to take such measures as will lessen the likelihood of fires or prevent the spread of fires.

70. Power to remove Difficulties

If any difficulty arises in giving effect to the provisions of this Regulation, the Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Regulation as may appear to it to be necessary or expedient for removing the difficulty:

PROVIDED that no such order shall be made after the expiry of two years from the commencement of this Regulation.

71. Laying of rules and orders etc.

Every rule made and every order issued under this regulation shall be laid, as soon as may be after it is made, before each House of Parliament.

72. Act to have overriding effect and effect of other laws

(1) The provisions of this Regulation shall have effect notwithstanding anything inconsistent there with contained in any other law for the time being in force in the Union territory, relating to fire prevention and life safety are concerned.

(2) Notwithstanding anything contained in any other law for the time being in force, when anything in relation to the fire prevention and life safety measures is required to be done or approved under this Regulation, any such thing shall not be deemed to have been unlawfully done or approved by reason only of the fact that the permission, approval or sanction required under such other law therefore has not been obtained.

(3) The provisions of this Regulation and the rules made there under shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any other law.

(4) Subject to the provisions of sub-section (3), the provisions of this Regulation shall be in addition to, and not, save as expressly provided hereinabove, be in derogation of the provisions of any relevant law for the time being in force in any area in which this Regulation is in force.

73. Requisition of Firefighting property:

Where the Director or Fire Officer, who is in-charge of a fire-fighting or any emergency operation requires fire-fighting equipment and appliance or property or on any other authority or any institution **or individual,** he may, by order requisition such equipment or property for the purpose of extinguishing fire or any other emergencies in any area and take possession thereof from the authority or any institution or individual, as the case may be.

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